

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:08cv29**

PAUL FAGAN; and EVELYN FAGAN,)

Plaintiffs,)

Vs.)

ORDER

UNITRIN AUTO AND HOME)

INSURANCE COMPANY d/b/a)

Kemper, a Unitrin Business,)

Defendant.)

_____)

THIS MATTER is before the court on defendant's Motion to File a Third Party Complaint. Plaintiff does not oppose the request, and it appears from the motion that good cause has been shown to allow the late filing inasmuch as a post answer investigation has lead defendant to believe that a third party may be liable in whole or in part for the claims plaintiffs have asserted against defendant. Fed.R.Civ.P. 14(a)(1). Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to File a Third Party Complaint (#13) is **GRANTED**, and defendant is allowed 10 days from receipt

of this Order to file their third-party complaint and have issued appropriate summonses.

Signed: December 8, 2008

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

